

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Bankruptcy Case No. 20-21541-CMB
Veronica Louise Hill,)
Debtor,) Chapter 13
)
Ronda J. Winnecour, Chapter 13) Hearing Date: January 8, 2025 at 1:30 p.m.
Trustee;) Responses Due: December 12, 2024
Movant,) Related to Doc. Nos. 104, 105
vs.)
Veronica Louise Hill,)
Respondent.) Document No.

DEBTOR'S RESPONSE TO TRUSTEE'S MOTION TO DISMISS

AND NOW comes the Debtor, Veronica Louise Hill, by and through her counsel of record, Calaiaro Valencik, and presents the following Response to the *Trustee's Motion to Dismiss* filed by Ronda J. Winnecour, Chapter 13 Trustee:

1. It is admitted that at the time of filing, the no 506 action had been filed. This was an unintentional oversight. Contemporaneously with the filing of this Response, a Motion to Determine Secured Status was filed. The hearing on this Motion to Determine Secured Status is scheduled for the same date and time as the Trustee's Motion to Dismiss.
2. Admitted.
3. Admitted.
4. It is admitted that at the time of filing, the no 506 action had been filed. This was an unintentional oversight. Contemporaneously with the filing of this Response, a Motion to Determine Secured Status was filed. The hearing on this Motion to Determine Secured Status is scheduled for the same date and time as the Trustee's Motion to Dismiss.

5. The Paragraph contains conclusions of law to which no response is required. To the extent that a response is required, the Paragraph is denied. It is denied that cause has been established. Section 1307(c) is discretionary and does not mandate dismissal. Given the filing of the Motion to Determine Secured Status and the contemporaneous hearing, there is little to no prejudice in denying the Motion to Dismiss without prejudice, or alternatively, defer ruling on the Motion to Dismiss until the Court rules on the Motion to Determine Secured Status or track the Motion to Dismiss to the Motion to Determine for Secured Status.

6. Denied as stated. Contemporaneously with the filing of this Response, a Motion to Determine Secured Status was filed. The hearing on this Motion to Determine Secured Status is scheduled for the same date and time as the Trustee's Motion to Dismiss.

7. Denied.

WHEREFORE, the Debtor respectfully requests this Court deny the Motion to Dismiss without prejudice, or in the alternative, defer ruling on the Motion to Dismiss until the Court rules on the Motion to Determine Secured Status or track the Motion to Dismiss to the Motion to Determine for Secured Status.

Respectfully submitted,

DATED: December 12, 2024

CALAIARO VALENCIK

BY: /s/ Andrew K. Pratt

Andrew K. Pratt, Esq. PA I.D. No. 328784

938 Penn Avenue, Suite 501

Pittsburgh, PA 15222-3708

Telephone: (412) 232-0930

Fax: (412) 232-3858

Email: apratt@c-vlaw.com